

Return to: Pacific Power  
1950 Mallard Lane  
Klamath Falls, Oregon 97601

CC#: 11176 WO#: 02427174

Vol M04 Page 33665

04 MAY 26 PM 1:23

RIGHT OF WAY EASEMENT

For value received, James and Barbara J. Merrilees, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 100 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchor, including guys and anchors outside of the right of way; wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults and cabinets, along the general course now located by Grantee on, over or under the surface of the real property of Grantor in Klamath County, State of Oregon, more particularly described as follows and as more particularly described and/or shown on Exhibit(s) A & B attached hereto and by this reference made a part hereof:

Said property generally located in the NW 1/4 of the SE 1/4 of Section 18, Township 39S, Range 11 1/2 E of the Willamette Meridian, and more specifically described in Volume M98 Page 18 in the official records of Klamath County.

Assessor's Map No. R-3911-V1800-00400-000

Tax Parcel No. R 804231

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way and adjacent lands clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place, use or permit any equipment or material of any kind that exceeds twelve (12) feet in height, light any fires, place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

DATED this 30 day of April, 2004.

  
Grantor(s) James Merrilees

  
Grantor(s) Barbara J. Merrilees

Grantor(s)

Grantor(s)

State of Oregon, County of Klamath  
Recorded 05/26/2004 1:23 p.m.  
Vol M04 Pg 33665-33667  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oregon

County of Klamath ss.

This instrument was acknowledged before me on this 30<sup>th</sup> day of April, 2004, by  
James & Barbara J Merrilees

  
Notary Public

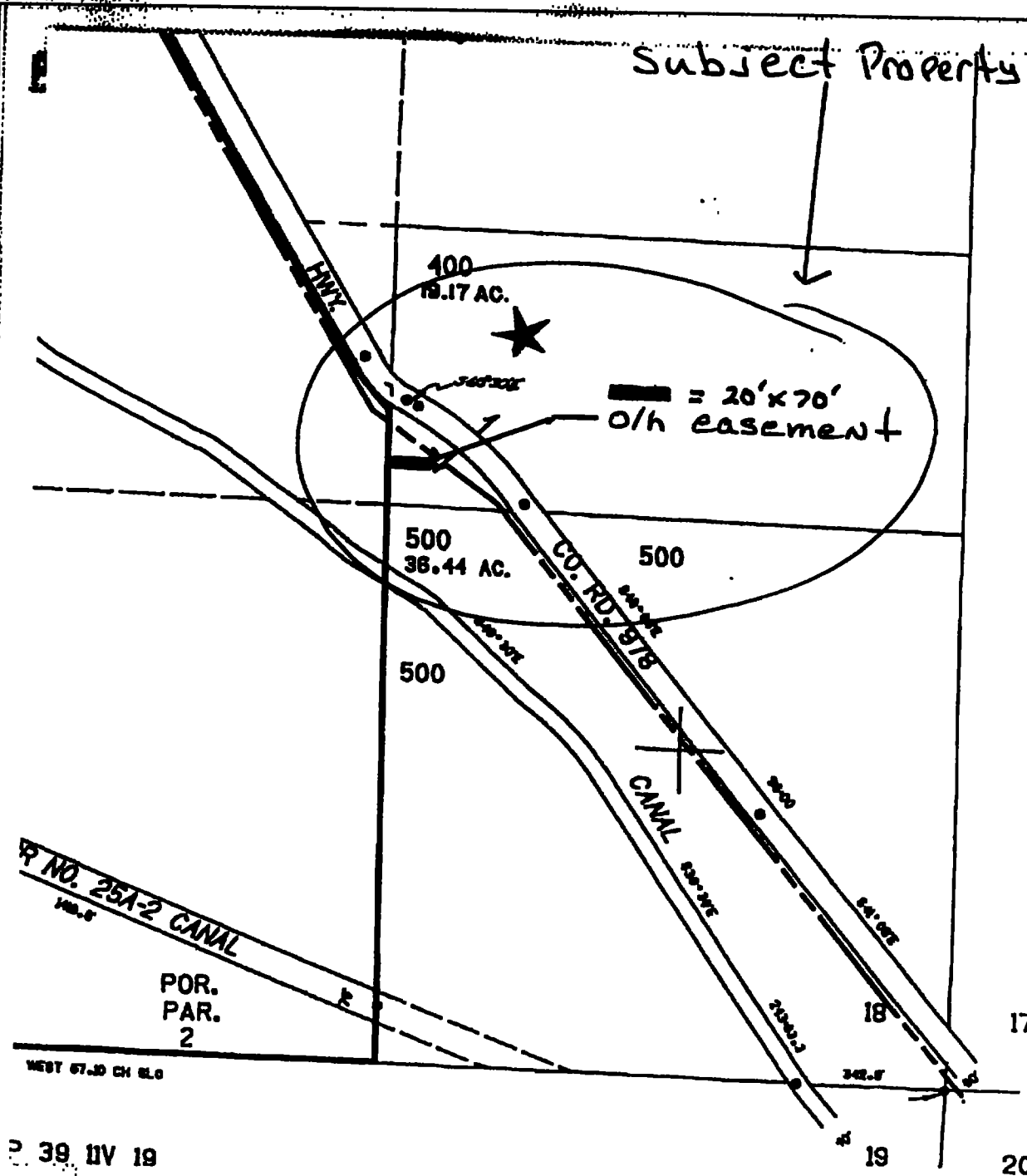
My commission expires: Sep. 29, 2006

RECEIVED  
APR 30 2004

BY 188 9:50



33666



CC#: 11176

WOF: 02427174

NAME:

DRAWN BY: B. Alden

**EXHIBIT A**

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

**PacifiCorp**SCALE:  
1" = 100'

SHEET 1 OF 1

Situated in Klamath County, Oregon and more particularly described as:

- Parcel I: An undivided one-half interest in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 26; the SW $\frac{1}{4}$ SW $\frac{1}{4}$  and the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 25; the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 35; and the NW $\frac{1}{4}$  of Section 36, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.
- Parcel II: The S $\frac{1}{2}$ N $\frac{1}{2}$  and the N $\frac{1}{2}$ S $\frac{1}{2}$  of Section 2; the SW $\frac{1}{4}$ NW $\frac{1}{4}$  and the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3; the N $\frac{1}{2}$  NE $\frac{1}{4}$  and Government Lot 1 of Section 13; that portion of the W $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 12, beginning at a point 861.3 feet West of the Southeast corner of Section 12, thence North parallel to the East boundary of Section 12 to the North Poe Valley County Road, thence West 458.7 feet to the West boundary of the E $\frac{1}{2}$ SE $\frac{1}{4}$ , then South on said boundary to the South boundary of Section 12, thence East to the point of beginning; and that portion of Section 12 beginning at a point 201 feet West of the Southeast corner of Section 12, thence North along the West boundary of the U.S.B.R. E-1 lateral and continuing North to the North Poe Valley County Road, thence West 660.3 feet, thence South on a line parallel to the Eastern boundary line of Section 12 to the South boundary of Section 12, thence East to the point of beginning; all in Township 39 South, Range 10, East of the Willamette Meridian, Klamath County, Oregon.
- Parcel III: The NE $\frac{1}{4}$ SE $\frac{1}{4}$ , that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  lying North and East of the North Poe Valley County Road, containing 8.5 acres, more or less, and that portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$  lying North and East of the North Poe Valley County Road, containing 32 acres, more or less, all in Section 18, Township 39 South, Range 11 $\frac{1}{2}$  East of the Willamette Meridian, Klamath County, Oregon.

Klamath County Tax Assessor's Nos: 3910-00000-00900-000  
3910-01200-01200-000  
3910-01200-01300-000  
3910-01300-00100-000  
3911-V1800-00200-000  
3911-V1800-00400-000  
3709-00000-08400-000  
3709-00000-08300-000  
3709-00000-09600-000  
3709-00000-09900-000

# EXHIBIT "B"

STATE OF OREGON; COUNTY OF KLAMATH: ss.

Filed for record at request of William M. Ganong the 23rd day  
of July A.D., 19 98 at 1:14 o'clock P. M., and duly recorded in Vol. 898  
of Deeds on Page 27013.

FEB \$35.00

By Bernetha G. Letsch County Clerk  
Kathleen Brown